

MONTANA LEGISLATIVE HISTORY

BEST COPY
AVAILABLEChapter 149 19 85Bill H _____ S 190 Original bill & history x cH. Committee on BUSINESS & LABORHearing Date(s) 3/11 x c
+ EXEC ACTION

_____ c

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Date Out _____ c

S. Committee on BUSINESS & INDUSTRYHearing Date(s) 2/5 x c
+ EXEC ACTION

_____ c

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_____ c

Did this bill originate in an interim committee? _____ Yes x No

Committee _____

Report _____

SENATE BILL NO. 190

INTRODUCED BY MAZUREK, FULLER, ECK,
MILES, J. BROWN, DONALDSON, GRADY

IN THE SENATE

January 22, 1985	Introduced and referred to Committee on Business and Industry.
February 6, 1985	Committee recommend bill do pass as amended. Report adopted.
February 7, 1985	Bill printed and placed on members' desks.
February 9, 1985	Second reading, do pass.
February 11, 1985	Considered correctly engrossed.
February 12, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Business and Labor.
March 11, 1985	Committee recommend bill be concurred in. Report adopted.
March 13, 1985	Second reading, concurred in.
March 15, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

March 15, 1985

Received from House.

March 16, 1985

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *190*
 2 INTRODUCED BY *Thasuruk, Fuller, Cook*
 3 *McLester J. Brown*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT LICENSED
 5 MONTANA BREWERS TO SELL, AT RETAIL ON THEIR LICENSED
 6 PREMISES, BEER MANUFACTURED ON THE PREMISES, FOR CONSUMPTION
 7 ON THE PREMISES; AMENDING SECTIONS 16-3-213, 16-3-214, AND
 8 16-4-401, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 16-3-213, MCA, is amended to read:

12 "16-3-213. Brewers not to retail beer -- original
 13 package exception. It shall be unlawful for any brewer or
 14 breweries to have or own any permit to sell or retail beer
 15 at any place or premises, it being the declared intention to
 16 prohibit brewers from engaging in the retail dispensation of
 17 beer except as provided in 16-3-214; provided, however, that
 18 this shall not be so construed as to prohibit breweries from
 19 making sale and delivery of beer manufactured by them, in
 20 original packages, at either wholesale or retail."

21 Section 2. Section 16-3-214, MCA, is amended to read:

22 "16-3-214. Beer sales by brewers. (1) Subject to the
 23 limitations and restrictions contained in this code, any
 24 brewer duly licensed as such by the United States of America
 25 who manufactures beer in the state of Montana, upon payment

1 of the annual license fee imposed by 16-4-501 and upon
 2 presenting satisfactory evidence to the department as
 3 required by 16-4-101, shall be licensed by the department,
 4 in accordance with the provisions of this code and such
 5 rules as may be prescribed by the department, to:

6 ~~(1)~~(a) sell and deliver beer to:

7 ~~(a)~~(i) a vendor;

8 ~~(b)~~(ii) any licensees who are entitled to purchase beer
 9 from a brewer under this code; or

10 ~~(c)~~(iii) the public; or

11 (b) sell its own products at retail on its licensed
 12 premises for consumption on the premises; or

13 ~~(2)~~(c) do any one or more of such acts of sale and
 14 delivery of beer.

15 (2) No additional license fee may be imposed on a
 16 brewery selling its own products at retail on its licensed
 17 premises for consumption on the premises."

18 Section 3. Section 16-4-401, MCA, is amended to read:

19 "16-4-401. License as privilege -- criteria for
 20 decision on application. (1) A license under this code is a
 21 privilege which the state may grant to an applicant and is
 22 not a right to which any applicant is entitled.

23 (2) Except as provided in subsection (6), in the case
 24 of a license that permits on-premises consumption, the
 25 department must find in every case in which it makes an

1 order for the issuance of a new license or for the approval
2 of the transfer of a license that:

3 (a) in the case of an individual applicant:

4 (i) the applicant will not possess an ownership
5 interest in more than one establishment licensed under this
6 chapter for all-beverages sales;

7 (ii) the applicant or any member of his immediate
8 family is without financing from or any affiliation to a
9 manufacturer, bottler, or distributor of beer, wine, or
10 liquor;

11 (iii) the applicant is a resident of the state and is
12 qualified to vote in a state election;

13 (iv) the applicant's past record and present status as
14 a purveyor of alcoholic beverages and as a businessman and
15 citizen demonstrate that he is likely to operate his
16 establishment in compliance with all applicable laws of the
17 state and local governments; and

18 (v) the applicant is not under the age of 19 years;
19 and

20 (b) in the case of a corporate applicant:

21 (i) the owners of at least 51% of the outstanding
22 stock meet the requirements of subsection (2)(a)(iii);

23 (ii) each owner of 10% or more of the outstanding stock
24 meets the requirements for an individual applicant listed in
25 subsection (2)(a) of this section;

1 (iii) the corporation is authorized to do business in
2 Montana; and

3 (iv) in the case of a corporation not listed on a
4 national stock exchange, each owner of stock meets the
5 requirements of subsection (2)(a)(i).

6 (3) In the case of a license that permits only
7 off-premises consumption, the department must find in every
8 case in which it makes an order for the issuance of a new
9 license or for the approval of the transfer of a license
10 that:

11 (a) in the case of an individual applicant:

12 (i) the applicant will not possess an ownership
13 interest in more than one establishment licensed under this
14 chapter for all-beverages sales;

15 (ii) the applicant or any member of his immediate
16 family is without financing from or any affiliation to a
17 manufacturer, bottler, or distributor of beer, wine, or
18 liquor;

19 (iii) the applicant has not been convicted of a felony
20 or, if the applicant has been convicted of a felony, his
21 rights have been restored;

22 (iv) the applicant's past record and present status as
23 a purveyor of alcoholic beverages and as a businessman and
24 citizen demonstrate that he is likely to operate his
25 establishment in compliance with all applicable laws of the

1 state and local governments; and
 2 (v) the applicant is not under the age of 19 years;
 3 and
 4 (b) in the case of a corporate applicant:
 5 (i) the owners of at least 51% of the outstanding
 6 stock meet the requirements of subsection (3)(a)(iii);
 7 (ii) each owner of 10% or more of the outstanding stock
 8 meets the requirements for an individual listed in
 9 subsection (3)(a) of this section; and
 10 (iii) the corporation is authorized to do business in
 11 Montana.
 12 (4) In the case of a license that permits the
 13 manufacture or wholesaling of an alcoholic beverage, the
 14 department must find in every case in which it makes an
 15 order for the issuance of a new license or for the approval
 16 of the transfer of a license that:
 17 (a) in the case of an individual applicant:
 18 (i) the applicant has no ownership interest in any
 19 establishment licensed under this chapter for retail
 20 alcoholic beverages sales except as provided in 16-3-214;
 21 (ii) the applicant has not been convicted of a felony
 22 or, if the applicant has been convicted of a felony, his
 23 rights have been restored;
 24 (iii) the applicant's past record and present status as
 25 a purveyor of alcoholic beverages and as a businessman and

1 citizen demonstrate that he is likely to operate his
 2 establishment in compliance with all applicable laws of the
 3 state and local governments;
 4 (iv) the applicant is not under the age of 19 years;
 5 and
 6 (v) an applicant for a wholesale license is neither a
 7 manufacturer of an alcoholic beverage nor is owned or
 8 controlled by a manufacturer of an alcoholic beverage; and
 9 (b) in the case of a corporate applicant:
 10 (i) the owners of at least 51% of the outstanding
 11 stock meet the requirements of subsection (4)(a)(ii);
 12 (ii) each owner of 10% or more of the outstanding stock
 13 meets the requirements for an individual listed in
 14 subsection (4)(a) of this section;
 15 (iii) an applicant for a wholesale license is neither a
 16 manufacturer of an alcoholic beverage nor is owned or
 17 controlled by a manufacturer of an alcoholic beverage; and
 18 (iv) the corporation is authorized to do business in
 19 Montana.
 20 (5) In the case of a corporate applicant, the
 21 requirements of subsections (2)(b), (3)(b), and (4)(b) apply
 22 separately to each class of stock.
 23 (6) The provisions of subsection (2) do not apply to
 24 an applicant for or holder of a license pursuant to
 25 16-4-302."

LC 0930/01

1 NEW SECTION. Section 4. Extension of authority. Any
2 existing authority of the department of revenue to make
3 rules on the subject of the provisions of this act is
4 extended to the provisions of this act.

-End-

SENATE FINAL STATUS

SENATE FINAL STATUS

2/05 3RD READING PASS 47

TRANSMITTED TO HOUSE

2/27 REFERRED TO APPROPRIATIONS

3/25 HEARING

DIED IN COMMITTEE

SB 190 INTRODUCED BY MAZUREK, FULLER, ET AL.
BREWERS TO SELL BEER FOR CONSUMPTION ON BREWERY PREMISES

1/21 INTRODUCED

1/22 REFERRED TO BUSINESS & INDUSTRY

2/05 HEARING

2/06 COMMITTEE REPORT-BILL PASS AS AMENDED

2/09 2ND READING PASS 50

2/12 3RD READING PASS 50

TRANSMITTED TO HOUSE

2/27 REFERRED TO BUSINESS & LABOR

3/11 HEARING

3/11 COMMITTEE REPORT-BILL CONCURRED

3/13 2ND READING CONCURRED 90

3/15 3RD READING CONCURRED 92

RETURNED TO SENATE

3/19 SIGNED BY PRESIDENT

3/20 SIGNED BY SPEAKER

3/21 TRANSMITTED TO GOVERNOR

3/22 SIGNED BY GOVERNOR

CHAPTER NUMBER 149 EFFECTIVE DATE: 3/22/85

SB 191 INTRODUCED BY B. WILLIAMS, SEVERSON, HALLIGAN
EXTENDING FROM 5 TO 30 DAYS PERIOD FOR SUBMISSION
BANKS OF CALL REPORTS
BY REQUEST OF DEPARTMENT OF COMMERCE

1/21 INTRODUCED

1/22 REFERRED TO BUSINESS & INDUSTRY

1/29 HEARING

1/29 COMMITTEE REPORT-BILL DO PASS

1/31 2ND READING PASS 45

2/02 3RD READING PASS 45

TRANSMITTED TO HOUSE

2/27 REFERRED TO BUSINESS & LABOR

3/14 HEARING

3/14 COMMITTEE REPORT-BILL CONCURRED

3/16 2ND READING CONCURRED 84

3/19 3RD READING CONCURRED 98

RETURNED TO SENATE

3/21 SIGNED BY PRESIDENT

3/22 SIGNED BY SPEAKER

3/22 TRANSMITTED TO GOVERNOR

3/26 SIGNED BY GOVERNOR

CHAPTER NUMBER 186 EFFECTIVE DATE: 10/01/85

192 INTRODUCED BY CHRISTIAENS, KOLSTAD, ET AL.
PURCHASE MONEY SECURITY INTEREST FILING TIME
INCREASED TO 20 DAYS

1/21 INTRODUCED

1/22 REFERRED TO BUSINESS & INDUSTRY

1/30 HEARING

1/30 COMMITTEE REPORT-BILL DO PASS

2/02 2ND READING PASS 46 0

2/05 3RD READING PASS 46 0

TRANSMITTED TO HOUSE

2/27 REFERRED TO BUSINESS & LABOR

3/14 HEARING

3/14 COMMITTEE REPORT-BILL CONCURRED

3/16 2ND READING CONCURRED 87 0

3/19 3RD READING CONCURRED 98 1

RETURNED TO SENATE

3/21 SIGNED BY PRESIDENT

3/22 SIGNED BY SPEAKER

3/22 TRANSMITTED TO GOVERNOR

3/25 SIGNED BY GOVERNOR

CHAPTER NUMBER 167 EFFECTIVE DATE: 10/01/85

193 INTRODUCED BY R. MANNING, DRISCOLL, LYBECK, HIRSCH
REPEAL PROVISIONS ON EXPLOSIVES; MANDATE STATE FIRE
MARSHAL TO ADOPT RULES

1/21 INTRODUCED

1/23 REFERRED TO STATE ADMINISTRATION

2/07 HEARING

2/11 COMMITTEE REPORT-BILL DO PASS

2/11 STATEMENT OF INTENT ATTACHED

2/13 2ND READING PASS 50 0

2/15 3RD READING PASS 44 5

TRANSMITTED TO HOUSE

2/27 REFERRED TO BUSINESS & LABOR

3/13 HEARING

3/14 COMMITTEE REPORT-BILL CONCURRED

3/16 2ND READING CONCURRED 89 2

3/19 3RD READING CONCURRED 95 4

RETURNED TO SENATE

3/21 SIGNED BY PRESIDENT

3/22 SIGNED BY SPEAKER

3/22 TRANSMITTED TO GOVERNOR

3/26 SIGNED BY GOVERNOR

CHAPTER NUMBER 187 EFFECTIVE DATE: 10/01/85

194 INTRODUCED BY R. MANNING, DRISCOLL, LYBECK
LICENSING THOSE WHO USE EXPLOSIVES IN CONSTRUCTION

1/21 INTRODUCED

1/22 REFERRED TO LABOR & EMPLOYMENT RELATIONS

1/23 FISCAL NOTE REQUESTED

1/29 HEARING

MINUTES OF THE MEETING
BUSINESS & INDUSTRY COMMITTEE
MONTANA STATE SENATE

February 5, 1985

The fifteenth meeting of the Business & Industry Committee met on February 5 at 10:00 a.m. in Room 413/415 of the Capitol Building. The meeting was called to order by Chairman Mike Halligan.

ROLL CALL: All committee members were present except for Senators Gage and Christiaens.

CONSIDERATION OF SENATE BILL 252: Senator Dave Fuller, Senate District 22 of Helena is the sponsor of Senate Bill 252. He explained this bill was brought to him by the Consumer Affairs Division of the Department of Commerce to help them catch scam artists who go through an area quickly and by the time the courts can get to them to prosecute they are gone.

PROPONENTS: Brinton Markle, Attorney for the Department of Commerce, explained the bill would give the department authority to issue cease and desist orders, grant the department rulemaking authority to design the forms and establish the procedures of issuing a cease and desist order and would also establish a consumer protection investigation fund. It is a tool which would help them assist local authorities conduct investigations. He further explained the procedures they have now simply take too long to process. He gave examples of quick scam operations that have been attempted in the state in recent years. Kim Schulke, staff attorney for the State Auditor's office, stated they support the bill if it includes some proposed amendments to exclude from the cease and desist authority of the commerce department and the county attorneys the authority to issue cease and desist orders. (EXHIBIT 1) She stated the general category of unfair and deceptive trade practices could include those matters now regulated by the insurance department of the auditors office. She feels that the dual regulation in the form of additional cease and desist power is unnecessary where competent authority already exists.

OPPONENTS: Mr. David Wistey, Optometrist from Livingston, feels this bill will place too much power in the Department of Commerce. He feels it might strip an individual of his rights of due process. (EXHIBIT 2)

Questions were then called for from the committee. Senator Halligan asked if the attorney general's office would be involved in this process and Brinton Markle answered he would have no hesitation in adding them in also. He also asked Kim Schulke what exactly the cease and desist order does and she stated it just prohibits businesses from acting in the future and if they violate this then it could be a felony.

CONSIDERATION OF SENATE BILL 190: Senator Joe Mazurek, Senate District 23, of Helena, explained his bill would allow a licensed Montana brewer to sell at retail on their premises beer manufactured on the premises for consumption on their premises. He gave the committee some amendments they are proposing which would allow a brewery to have on its premises a hospitality room and to be able to distribute samples of their beer. There would be no intention to sell beer on the premises he added. (EXHIBIT 5)

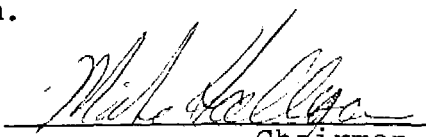
PROPONENTS: Dick Bourke, President of the Montana Beverages, Ltd. explained they feel this is a reasonable compromise with the tavern association to be able to have a hospitality room on the premises. Presently our law does not allow or disallow consumption of alcoholic beverages on the premises but this would be a clarification. Bob Durkee, representing the Montana Tavern Association, endorsed the bill as amended. He read a letter from Roger Tippy, of the Montana Beer & Wine Wholesalers Association, stating they have no objection to the bill as amended either. (EXHIBIT 6)

Questions from the committee were called for. Senator Goodover wondered if there was not a law already permitting this type of activity and Senator Mazurek was not aware of any but stated this was suggested by the Department of Revenue that one can consume on the premises of a brewery. Senator Mazurek then closed the hearing on Senate Bill 190.

DISPOSITION OF SENATE BILL 190: A short discussion of the amendments as proposed by Senator Mazurek. Senator Thayer then made a motion that the amendments as proposed DO PASS. Motion carried. Senator Goodover then moved that Senate Bill 190 DO PASS AS AMENDED. Motion carried.

CONSIDERATION OF A POSSIBLE COMMITTEE BILL: Mary McCue, Legislative Staff Attorney, stated in her research for a good faith bill for terminations for implement dealers they could just clarify existing law regarding farm implements, draft a law similar to what North Dakota has passed or draft a bill which encompasses all franchise dealerships and this would entail some lengthy study, or perhaps even an interim study. After discussion the committee felt the first method would be the most expedient.

The meeting was adjourned at 11:30 a.m.


Mike Halligan, Chairman

ROLL CALL

BUSINESS & INDUSTRY

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2/5/85

SENATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
Chairman Halligan	X		
V-chrm. Christiaens			
Senator Boylan	X		
Senator Fuller	X		
Senator Gage			
Senator Goodover	X		
Senator Kolstad			
Senator Neuman	X		
Senator Thayer	X		
Senator Williams	X		

Each day attach to minutes.

FEBRUARY 5, 1985

VISITORS' REGISTER

PROPOSED AMENDMENT TO SB 190:

1. Title, line 5.
Strike: "SELL, AT RETAIL"
Insert: "PROVIDE"
2. Page 1, line 17.
Following: "beer"
Strike: "except as provided in 16-3-214"
3. Page 1, line 20.
Following: "retail"
Insert: "or from providing its products for consumption on its
licensed premises"
4. Page 2, line 11.
Following: "(b)"
Strike: "sell"
Insert: "provide"
5. Page 2, line 11.
Following: "products"
Strike: "at retail"
Insert: "for consumption"
6. Page 2, line 12.
Following: "premises"
Strike: "for consumption on the premises:"
7. Page 2, line 16.
Following: "brewery"
Strike: "selling"
Insert: "providing"
Following: "products"
Strike: "at retail"
8. Page 2, line 18 through line 25, page 6.
Strike: Section 3 in its entirety
Renumber: remaining section

NAME Roger Tippy BILL NO. SB 190
ADDRESS Mont. Beer & Wine Wholesalers Assn DATE 2/5/85
WHOM DO YOU REPRESENT P.O. Box 124
Helena MT 59624
SUPPORT _____ OPPOSE _____ AMEND _____

~~2~~ No
posit's

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: This bill is an exception to the three-tier system in Montana's beer law. However, most breweries in other states have tasting rooms where visitors may enjoy samples of the beer made there. The amendments to the bill which Mr. Bourke of the Kessler Brewery has indicated he will present would take the practice authorized by the bill out of the distribution-and-sale system. As amended, the bill would not concern the wholesalers.

STANDING COMMITTEE REPORT

FEBRUARY 5

85

MR. PRESIDENT

BUSINESS & INDUSTRY

We, your committee on

SENATE BILL

190

having had under consideration

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BREWERS TO SELL BEER FOR CONSUMPTION ON BREWERY PREMISES

SENATE BILL

190

Respectfully report as follows: That

No.

be amended as follows:

1. Title, line 5.

Strike: "SELL, AT RETAIL"

Insert: "PROVIDE, WITHOUT CHARGE,"

2. Title, line 2.

Following: "MCA"

Insert: ";AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 17.

Following: "beer"

Strike: "except as provided in 16-3-214"

4. Page 1, line 20.

Following: "retail"

Insert: ",or from providing, without charge, their products for consumption on their licensed premises"

5. Page 2, line 11.

Following: "(b)"

Strike: "sell"

Insert: "provide, without charge,"

Following: "products"

Strike: "at retail"

Insert: "for consumption"

XXXXXX

XXXXXX

continued on page 2 of 2

Chairman.

6. Page 2, line 12.

Following: "premises"

Strike: "for consumption on the premises"

7. Page 2, line 16.

Following: "brewery"

Strike: "selling"

Insert: "providing, without charge,"

Following: "products"

Strike: "at retail"

8. Page 2, line 18 through line 25, page 6.

Strike: Section 3 in its entirety

Renumber: subsequent sections

9. Page 7

Following: line 4

Insert: "NEW SECTION. Section 4. Effective date. This act is effective on passage and approval."

AND AS AMENDED

DO PASS

Mike Halligan, Chairman

MINUTES OF THE MEETING
BUSINESS AND LABOR COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

March 11, 1985

The meeting of the Business and Labor Committee was called to order by Chairman Bob Pavlovich on March 11, 1985 at 8:00 a.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present.

SENATE BILL 190: Hearing commenced on Senate Bill 190. Senator Joe Mazurek, District #23, sponsor of the bill, explained this legislation is at the request of the Kessler Brewery. Senate Bill 190 allows a Montana brewer to give away its own products for consumption on its licensed premises.

Proponent Roger Tippy, representing the Montana Beer and Wine Wholesalers offered his support.

There bein no further discussion by proponents and no opponents to the bill, all were excused by the chairman and the hearing on Senate Bill 190 was closed.

ACTION ON SENATE BILL 190: Representative Kitselman moved DO PASS on Senate Bill 190. Second was received, Senate Bill 190 will BE CONCURRED IN by unanimous vote.

SENATE BILL 66: Hearing commenced on Senate Bill 66. Senator Mike Halligan, District #29, sponsor of the bill, stated this is the "Plain Language in Contracts Act" and requires a consumer contract to be written "in a clear and coherent manner using words with common and everyday meanings. City Bank in New York City revised their own forms and set a trend but it was not followed through by others. Each party should understand and agree to the terms of the contract and it should be readable to the average person. Senator Halligan distributed to committee members Exhibit 1 which is attached hereto. Only a small portion of an installment contract is covered under federal statute.

Proponent George Bousliman, representing the State Bar of Montana, explained that Senate Bill 66 will help take the mystery out of consumer contracts. A contract should be stated in plain English and the public should be clear of their rights.

Proponent Julie DalSoglio, representing the Montana Public Interest Research Group, supplied written testimony which is attached hereto as Exhibit 2.

DAILY ROLL CALL
BUSINESS AND LABOR COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date March 11, 1985

NAME	PRESENT	ABSENT	EXCUSED
Bob Pavlovich	✓		
Les Kitselman	✓		
Bob Bachini	✓		
Ray Brandewie	✓		
Jan Brown	✓		
Jerry Driscoll	✓		
Robert Ellerd	✓		
William Glaser	✓		
Stella Jean Hansen	✓		
Marjorie Hart	✓		
Ramona Howe	✓		
Tom Jones	✓		
Mike Kadas	✓		
Vernon Keller	✓		
Lloyd McCormich	✓		
Jerry Nisbet	✓		
James Schultz	✓		
Bruce Simon	✓		
Fred Thomas	✓		
Norm Wallin	✓		

STANDING COMMITTEE REPORT

MARCH 11

1935

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration Senate Bill No. 190

third reading copy (blue)
color

BREWERS TO SELL BEER FOR CONSUMPTION ON BREWERY PREMISES

Respectfully report as follows: That Senate Bill No. 190

UNDETERMINED
BE CONCURRED IN

Rep. Robert Pavlovich,
Chairman.

VISITOR'S REGISTER

HOUSE

COMMITTEE

BILL Senate Bill 190

DATE _____

SPONSOR Sen. Mazurek

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.